

Law 100-687; 102 Stat. 4122; 38 U.S.C. 7251 note) is repealed.

(b) **ATTORNEY FEES.**—Section 403 of the Veterans' Judicial Review Act (102 Stat. 4122; 38 U.S.C. 5904 note) is repealed.

(c) **CONSTRUCTION.**—The repeal in subsection (a) may not be construed to confer upon the United States Court of Appeals for Veterans Claims jurisdiction over any appeal or other matter not within the jurisdiction of the Court as provided in section 7266(a) of title 38, United States Code.

(d) **APPLICABILITY.**—The repeals made by subsections (a) and (b) shall apply to—

(1) any appeal filed with the United States Court of Appeals for Veterans Claims on or after the date of the enactment of this Act; and

(2) any appeal pending before the Court on that date, other than an appeal in which the Court has made a final disposition under section 7267 of title 38, United States Code, even though such appeal is not yet final under section 7291(a) of title 38, United States Code.

#### SEC. 604. REGISTRATION FEES.

(a) **REGISTRATION FEES FOR PARTICIPATION IN OTHER COURT-SPONSORED ACTIVITIES.**—Subsection (a) of section 7285 is amended to read as follows:

“(a) The Court of Appeals for Veterans Claims may impose registration fees as follows:

“(1) Periodic registration fees on persons admitted to practice before the Court, in such frequency and amount (not to exceed \$30 per year) as the Court may provide.

“(2) Registration fees on persons (other than judges of the Court) participating at judicial conferences convened pursuant to section 7286 of this title, and at other Court-sponsored activities.”.

(b) **AVAILABILITY OF REGISTRATION FEES.**—Subsection (b) of that section is amended—

(1) in paragraph (1), by striking “employing independent counsel” and inserting “conducting investigations and proceedings, including the employment of independent counsel,”; and

(2) in paragraph (2), by striking “administrative costs for the implementation of the standards of proficiency prescribed for practice before the Court” and inserting “the expenses of judicial conferences convened pursuant to section 7286 of this title, and of other Court-sponsored activities covered by paragraph (2) of that subsection, and the expenses of other activities and programs of the Court intended to support and foster communications and relationships between the Court and persons practicing before the Court, or the study, understanding, public commemoration, or improvement of veterans law or of the work of the Court”.

(c) **CONFORMING AND CLERICAL AMENDMENTS.**—(1) The section heading for section 7285 is amended to read as follows:

#### “§ 7285. Registration fees”.

(2) The table of sections at the beginning of chapter 72 is amended by striking the item relating to section 7285 and inserting the following new item:

“7285. Registration fees.”.

#### SEC. 605. ADMINISTRATIVE AUTHORITIES.

(a) **IN GENERAL.**—Subchapter III of chapter 72 is amended by inserting after section 7286 the following new section:

#### “§ 7287. Administration

“Notwithstanding any other provision of law, the Court of Appeals for Veterans Claims may exercise, for purposes of management, administration, and expenditure of funds of the Court, the authorities provided for such purposes by any provision of law (including any limitation with respect to such provision of law) applicable to a court of the United States (as that term is defined in section 451 of title 28), except to the extent that such provision of law is inconsistent with a provision of this chapter.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 72 is amended

by inserting after the item related to section 7286 the following new item:

“7287. Administration.”.

**SA 2463.** Mr. REID (for Mr. ROCKFELLER) proposed an amendment to the bill H.R. 1291, to amend title 38, United States Code, to modify and improve authorities relating to education benefits, burial benefits, and vocational rehabilitation benefits for veterans to modify certain authorities relating to the United States Court of Appeals for Veterans Claims, and for other purposes; as follows:

Amend the title so as the read: “A Bill to amend title 38, United States Code, to modify and improve authorities relating to education benefits, compensation and pension benefits, housing benefits, burial benefits, and vocational rehabilitation benefits for veterans, to modify certain authorities relating to the United States Court of Appeals for Veterans Claims, and for other purposes.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Friday, December 7, 2001, at 9:30 a.m., on the nomination of Sean O'Keefe to be NASA Administrator.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Mr. CLELAND. Mr. President, I ask unanimous consent that my military fellow, Steve Tryon, be granted the privilege of the floor during the Senate's consideration of the Defense Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent that Pat Jones, a legislative fellow who serves on my staff, be granted floor privileges during the deliberation of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Jeff Freeman, a Fellow serving in Senator COCHRAN's office, and Stewart Holmes, a staff member of Senator COCHRAN, be granted the privilege of the floor during the duration of the consideration of the fiscal year 2002 Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I ask unanimous consent that Stephen Kay, a legislative fellow in my office, be granted floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to executive session to consider en bloc the following nominations: Calendar Nos. 606, 608 to and including 615, and all nominations on the Secretary's desk in the Army and Navy; further, that the HELP Committee be discharged from further consideration of the following nominations: Tammy Dee McCutchen, to be Administrator of the Wage and Hour Division of the Department of Labor, and the list of Public Health nominations beginning with Ketty Gonzalez and ending with Amanda Stoddard. I ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

##### DEPARTMENT OF DEFENSE

Peter B. Teets, of Maryland, to be Under Secretary of the Air Force.

##### AIR FORCE

The following named officers for appointment in the Regular Air Force of the United States to the positions and grade indicated under title 10, U.S.C. section 8307:

To be the judge advocate general of the United States Air Force

Maj. Gen. Thomas J. Fiscus.

To be major general and to be the deputy judge advocate general of the United States Air Force

Brig. Gen. Jack L. Rives.

##### ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Bruce H. Barlow.

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Keith B. Alexander.  
Brigadier General Eldon A. Bargewell.  
Brigadier General David W. Barno.  
Brigadier General John R. Batiste.  
Brigadier General Peter W. Chiarelli.  
Brigadier General Claude V. Christianson.  
Brigadier General Robert T. Dail.  
Brigadier General Paul D. Eaton.  
Brigadier General Karl W. Eikenberry.  
Brigadier General Robert H. Griffin.  
Brigadier General John W. Holly.  
Brigadier General David H. Huntoon, Jr.  
Brigadier General James C. Hylton.  
Brigadier General Gene M. LaCoste.  
Brigadier General Dee A. McWilliams.  
Brigadier General Raymond T. Odierno.  
Brigadier General Virgil L. Packett, II.  
Brigadier General Joseph F. Peterson.  
Brigadier General David H. Petraeus.  
Brigadier General Marilyn A. Quagliotti.  
Brigadier General Michael D. Rochelle.  
Brigadier General Donald J. Ryder.  
Brigadier General Henry W. Stratman.  
Brigadier General Joe G. Taylor, Jr.  
Brigadier General N. Ross Thompson, III.  
Brigadier General James D. Thurman.  
Brigadier General Thomas R. Turner, II.  
Brigadier General Michael A. Vane.

Brigadier General William G. Webster, Jr.  
NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

*To be rear admiral*

Rear Adm. (lh) Anthony W. Lengerich.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (lh) Richard B. Porterfield.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Stephen A. Turcotte.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (lh) David Architzel.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice Admiral*

Vice Adm. Charles W. Moore, Jr.

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK  
ARMY

PN1242 Army nominations (655) beginning VERN J ABDOO, and ending DOUGLAS K ZIMMERMAN, II, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2001

PN1243 Navy nominations of John B. Stockel, which was received by the Senate and appeared in the Congressional Record of November 27, 2001

PN1244 Navy nominations of Philip F. Stanley, which was received by the Senate and appeared in the Congressional Record of November 27, 2001

NOMINATIONS DISCHARGED  
DEPARTMENT OF LABOR

Tammy Dee McCutchen, of Illinois, to be Administrator of the Wage and Hour Division, Department of Labor.

PUBLIC HEALTH SERVICE

Public Health Service nominations beginning Ketty M. Gonzalez and ending Amanda D. Stoddard, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2001.

*To be medical director*

Ketty M. Gonzalez.  
Gunta I. Obrams.

*To be senior surgeon*

Vito M. Caserta.  
Olga Grajales.  
Mary L. Kamb.  
Dawn L. Wyllie.

*To be surgeon*

Andrew Biauvelt.  
Michael J. Boquard.  
J Russell Bowman.  
Monica E. Parise.  
Lisa G. Rider.  
Abigail M. Shefer.  
Darrell P. Stone.

*To be senior assistant surgeon*

Dahna L. Batts-Osborne.  
Stephen M. Hewitt.  
James F. Lando.  
John T. Ning.  
Alexander K. Rowe.  
Stephen M. Rudd.  
Seymour G. Williams.

*To be senior dental surgeon*

Michael L. Campsmith.

A. Isabel Garcia.

*To be dental surgeon*

Ronald E. Bajuscak.  
Tania M. Macias.  
Wilnetta A. Sweeting.  
Michael P. Winkler.

*To be senior assistant dental surgeon*

Dawn A. Breeden.  
Katherine T. Cotton.  
Bryan S. Dawson.  
Stanley K. Gordon.  
Maria-Paz U. Smith.  
Valerie D. Wilson.

*To be senior nurse officer*

Robert E. Eaton.  
Mary I. Lambert.  
Susanne R. Rohrer.  
Marjorie Lynn Witman.

*To be nurse officer*

Eileen D. Bonneau.  
Ruth M. Coleman.  
Terri L. Dodds.  
Susan D. Hillis.  
Barbara W. Kilbourne.  
Gwethlyn J. Sabatinos.  
Amanda S. Waugaman.

*To be senior assistant nurse officer*

Thomas C. Arminio.  
Deborah M. Carter.  
Charles D. Duke Jr.  
Keyla E. Gammarrano.  
Mary C. Karlson.  
Julie D. King.  
Kimberly M. Mock.  
Lisa S. Penix.  
Laverne Puckett.  
Keysha L. Ross.  
Michael R. Sanchez.  
Jeanne D. Shaffer.  
Steven M. Wacha.

*To be assistant nurse officer*

Benjamin F. Brown Jr.  
Serina A. Hunter.  
Patricia K. Mitchell.  
Todd A. Ridge.  
William Ruiz-Colon.  
Tonia L. Sawyer.  
Thomas R. Stanley.  
Robbie K. Taylor.

*To be engineer officer*

Kevin B. Milne.

*To be senior assistant engineer officer*

Donald C. Antrobus.  
Mark A. Calkins.  
Edward A. Cayous.  
Tracy D. Gilchrist.  
Steven M. McGovern.  
Dale M. Mossefin.  
Jeffrey S. Reynolds.  
Hilda F. Scharen-Guivel.  
Jerry A. Smith.  
Michael A. Stover.  
Darrall F. Tillock.  
Mary M. Weber.

*To be scientist director*

Victor Krauthamer.

*To be senior scientist*

Young H. Lee.  
H. Edward Murray.

*To be scientist*

Kate M. Brett.  
Angela M. Gonzalez.  
O'Neal A. Walker.

*To be senior assistant scientist*

Nelson Adekoya.  
Mehran S. Massoudi.  
Darin J. Weber.

*To be sanitarian*

Matthew E. Taylor.  
Daniel C. Weaver.

*To be assistant therapist*

Corey S. Dahl.

*To be senior health services officer*

Ilze L. Ruditis.

*To be health services officer*

Steven M. Glover.  
Darlene A. Harris.  
Carmencita T. Palma.  
Julia A. Stokes.

*To be senior assistant health services officer*

Sherlene Bailey.  
Kathy L. Balasko.  
Marinna A. Banks.  
Jose H. Belardo.  
Julie Wofford Black.  
Dawn M. Clary.  
Sandra L. Ferguson.  
Kathleen D. Heiden.  
Mary C. Hollister.  
David W. Keene.  
Scott A. Middlekauff.  
Godwin O. Odia.  
Elizabeth A. Pierce.  
Brian E. Richmond.  
Renee S. Roberson.  
Lisa D. Starnes.  
Scott W. Tobias.  
Gilbert E. Varney Jr.  
Kimberly A. Walker.

*To be assistant health services officer*

Parmjeet S. Saini.  
Amanda D. Stoddard.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

## SMALL BUSINESS INVESTMENT COMPANY AMENDMENTS ACT OF 2001

Mr. REID. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1196.

The Presiding Officer laid before the Senate a message from the House as follows:

*Resolved*, That the bill from the Senate (S. 1196) entitled "An Act to amend the Small Business Investment Act of 1958, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Small Business Investment Company Amendments Act of 2001".*

### SEC. 2. SUBSIDY FEES.

(a) *IN GENERAL.*—Section 303 of the Small Business Investment Act of 1958 (15 U.S.C. 683) is amended—

(1) in subsection (b)—

(A) by striking "of not more than 1 percent per year";

(B) by inserting "which amount may not exceed 1.38 percent per year, and" before "which shall be paid"; and

(C) by striking "September 30, 2000" and inserting "September 30, 2001"; and

(2) in subsection (g)(2)—

(A) by striking "of not more than 1 percent per year";

(B) by inserting "which amount may not exceed 1.38 percent per year, and" before "which shall be paid"; and

(C) by striking "September 30, 2000" and inserting "September 30, 2001".

(b) *EFFECTIVE DATE.*—The amendments made by this section shall become effective on October 1, 2001.